

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 08-0499

ORIGINAL

STATE OF MONTANA,

Plaintiff and Appellee,

v.

DAVID W. GUNDERSON,

Defendant and Appellant.

FILED

JUN 11 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME**

COMES NOW, Kelli S. Sather, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until July 22, 2009, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 11 day of June, 2009.

OFFICE OF THE STATE PUBLIC DEFENDER
Appellate Defender Office
301 South Park, Room 568
P.O. Box 200145
Helena, MT 59620-0145

By: *K. Sather*

KELLI S. SATHER

Assistant Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

STEVE BULLOCK
Montana Attorney General
MARK MATTIOLI
Assistant Attorney General
215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401

DENNIS PAXINOS
Yellowstone County Attorney
P.O. Box 35025
Billings, MT 59107-5025

DAVID W. GUNDERSON 11820
Montana State Prison
700 Conley Lake Road
Deer Lodge, MT 59722

DATED: June 10, 2009 Shirley Braden